

**MINUTES OF THE REGULAR BOARD MEETING
AND PUBLIC HEARINGS HELD BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF MASTIC BEACH ON TUESDAY,
MARCH 12, 2013 AT THE MASTIC BEACH FIRE DEPARTMENT,
265 NEIGHBORHOOD ROAD, MASTIC BEACH, NEW YORK AT 7:00PM**

The Regular Meeting was called to order at 7:07 PM by Mayor Biondi with approximately 80 residents in attendance.

Mayor Biondi led the audience in the Pledge of Allegiance and a Moment of Silence.
Roll Call was taken by the Village Clerk.

In attendance: Mayor Biondi
Trustee Morrow
Trustee Bissonette
Deputy Mayor Stiriz

Absent: Trustee Cappiello

Also Present: Village Attorney Brian T. Egan, Esq.
Village Clerk Virgilia Gross

Upon motion made by Mayor Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Accept the Minutes of the 2.6.13 Work Session.

Upon motion made by Mayor Biondi, seconded by Trustee Bissonette and unanimously carried, it was RESOLVED to Accept the Minutes of the 2.12.13 Public Hearings & Regular Meeting.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Accept the Minutes of the 2.20.13 Work Session.

Upon motion made by Mayor Biondi, seconded by Trustee Morrow with Trustee Bissonette voting in the negative, it was RESOLVED to Authorize the Payment of Presented Bills as per Abstract No. 10-2012 in the amount of \$205,810.66.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Accept the completed Environmental Assessment Form pertaining to the proposed Zoning Code.

PUBLIC HEARINGS

Section 178-1 of Chapter 178

Village Attorney Egan explained the proposed change to the code and that New York State sets basic minimum for same.

PUBLIC COMMENT

Jane Powers: Ms. Powers brought to the Board's attention that public notice for some of the evening's hearings scheduled stated a start time of 6:00 p.m. and not 7:00 p.m.

After brief discussion, it was decided to table four of the hearings and reschedule them at a later date.

Upon motion made by Deputy Mayor Stiriz, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to Table the Public Hearings scheduled regarding Sections 178-1, 178-6(E) and 178-7 and Section 380-4; and withdraw Public Hearing for Chapter 195.

Public Hearing Regarding Section 270-13 of Chapter 270

Village Attorney Egan explained Section 270-13 repealing the License Review Committee stating that the Village issues a registration permit, not a license.

PUBLIC COMMENT

Frank Zofforino: Stated that Suffolk County licenses are accepted and that under the fire and safety code, homeowners can do work in their own residences.

Joe Kelly: Asked for clarification and any changes from license to permit. Village Administrator Brojer explained that Suffolk County licenses all trades and that there is a yearly permit fee.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Adopt a Local Law of 2013 Repealing Section 270-13 of Chapter 270 of the Village Code.

Public Hearing Regarding Section 510-8-53 of Chapter 510

Village Attorney Egan explained that the code prohibiting unregistered motor vehicles already exists and that the local law proposed would expand that to cover unregistered motor boats.

Bruce Summa: Asked if tarp over unregistered car, kayak, watercraft vessel, canoe and if law would apply; voiced concern over financial troubles, no recourse and storage issues. Trustee Bissonette stated that it was for vessel on water and that many residents have sub-standard lot sizes.

Frank Zofforino: Asked for clarification of front, side and rear yard with an explanation given by Village Attorney Egan.

A question was raised regarding ½ year registrations for trailers and boats; Mayor Biondi assured the residents that wording could be added to reflect their partial year registration and that the village did not want to hurt the residents in any way.

Aida Wietzel: Does not approve of colored tarps over vehicles, creates an eyesore.

Joe Kelly: Stated that under the Vehicle and Traffic Law, unregistered vehicles are covered and that the village could go after same.

Jennifer Griffin: Asked why Chapter 510 and not Chapter 520, Watercraft. Village Attorney Egan stated that the prohibition for parking on lawns was covered in Chapter 510.

Keith Macki: Complimented Village on snow removal; clarification needed for registered 26' trailer on side yard and if it needed to be covered.

Richard Westhoff: Will there be an exception for a boat under repair in the code.

Jane Powers: Feels sad for Mayor Biondi and the village is becoming the land of no, too many rules and regulations.

Mayor Biondi stated that he wants to do what is right for the residents and what the people want to do. The village is a boating community and that won't be taken away; rumors are flying and guarantee that the code will not hurt anyone.

Kevin Barrett: Asked if the residents wanted, as an example, a Doris Drive situation next to them; and that the rules are there to clean up the problems.

Frank Fugarino: Does not think that this is a "no" item, but a quality of life issue. Too many things are left on front lawns and this will be the village of quality of life.

Pat Liberti: Abandoned vehicle on Biltmore since pre-holiday season. Mayor Biondi said that if it is unregistered, consider it gone.

Upon motion made by Deputy Mayor Stiriz, seconded by Mayor Biondi and unanimously carried, it was RESOLVED to Table the adoption of a local law of 2013 amending Section 510-8-53.

TRUSTEE REPORTS

Trustee Morrow issued the following Code Enforcement report for the month of February:

- 133 Complaints Received
- 32 Unfounded
- 15 Appearance tickets issued
- 41 Warnings issued
- 25 Closed by Compliance

Deputy Mayor Stiriz reported that flooding is at its height, 18” above normal due to the proxigeal year and that the moon is now closer to earth with high tides expected at the end of the month. The National Disaster Recovery Framework is working closely with the village on raising roadways, homes and future mitigation efforts.

Jennifer Griffin: Are the meetings open to the public? Mayor Biondi stated that they were not, but the Board will continually update the residents on progress made.

James Ryan: Raised issue with a letter received from Village Administrator Brojer regarding mandatory home inspections and suggested that the letter be retracted and reworded.

Maureen DiMeo: Monthly Outreach statement.

Maura Sperry: Echoed Mr. Ryan’s concern with letter and stated that she is still fighting with her insurance company; March 31st deadline is too close and that the Board should look into a code for oil tanks and the securing of same. Ms. Sperry asked the Board to be proactive and fix the breach at Smith Point. Mayor Biondi reminded Ms. Sperry that it was not in the village’s power to fix Suffolk County’s dunes and that calls should be made to county officials.

Patricia Conover: Home was completely destroyed, village has been super, Tim has been a tremendous help and the bigger fight is with the insurance company.

Deputy Mayor Stiriz added that the village is approaching National Grid for gas installation in the village as well.

Frank Fugarino: Local civics should band together and protest now in order to have breach repaired.

Michelle Wilkinson: Letter was sent to Oceanside homeowners with renters concerning their rental properties.

Bruce Summa: Raised an issue regarding the damage to his home, FEMA and the D.E.C.; Village Administrator Brojer explained that the D.E.C. wants involvement due to the wetlands.

Village Attorney Egan stated that Mr. Ryan raised an excellent point in regard to inspection of homes and that a certified architect or engineer could conduct the inspection for the homeowner.

Arthur Kruse: Water may have damaged electrical lines under the floor, safety is an issue. Mr. Kruse offered to inspect at no charge to residents.

Margaret Warren: Expressed concern that raising roadway will cause further flooding of homes along the shoreline. Deputy Mayor Stiriz stated that it would be done without causing additional flooding and that the village was looking into the installation of lateral French drains that could be funded by the federal government.

Michael Kobasiuk: Asked for letter clarification regarding damage; Mr. Brojer offered explanation.

Mayor Biondi explained that the letter was not sent to offend or upset residents and that the village was trying to keep everyone safe.

Mike Schershenovich: inquired as to homes with structural damage and that he appreciates the inspections due to a lot of shoddy work done in the past; Mr. Ryan stated that he could call 451-6321 and ask to speak with Maria.

Joe Mallia: Asked for more information regarding the \$500,000 sewer grant; Deputy Mayor Stiriz explained how the system would work and that there currently was one at Fairfield, no smell or noise. Mr. Stiriz added that the village was the fastest to receive funds for a project like this.

Patricia Conover: Asked where the federal aid was to get people back to normal; Mayor Biondi stated that the village will do what it can as soon as it arrives.

Mayor Biondi announced that the residents will pay a reduced Town of Brookhaven highway tax for salt and sand supplied by the village.

Richard Westhoff: Upset about the inspection letter and asked how it was documented that it was in his home; Mayor Biondi stated that once an inspector was told about flooding, it was documented. Mr. Westhoff stated that he will remediate the problem himself.

Betty Manzella: Suggested better communication and that the letter was inflammatory; a packet should have been sent instead; commended village for an excellent job in snow removal.

Mayor Biondi will address communication and mailings in the future.

Village Administrator Brojer stated that the New York State Code was adopted by the Village of Mastic Beach with the first code adoption.

Alan Chasinov: Commented that the Board was thick-skinned and that they are making the village work by not being seasoned politicians – they are average people and that makes us unique.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Enter Executive Session for the purpose of personnel discussions at 9:39 p.m.

Trustee Bissonette left the meeting at 9:55 p.m.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to End Executive Session at 10:18 p.m.

Upon motion made by Mayor Biondi, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to Re-open the Regular Meeting at 10:18 p.m.

Upon motion made by Deputy Mayor Stiriz, seconded by Trustee Morrow and unanimously carried, it was RESOLVED to Authorize an adjustment in payment to four snow removal vendors paid at an incorrect rate, not to exceed \$2,500.

Upon motion made by Trustee Morrow, seconded by Deputy Mayor Stiriz and unanimously carried, it was RESOLVED to End the Regular Meeting at 10:20 p.m.

Respectfully submitted,

Virgilia C. Gross
Village Clerk

Dated: March 27, 2013